

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)	
)	
Implementation of the Commercial)	MB Docket No. 11-93
Advertisement Loudness Mitigation)	
(CALM) Act)	
)	

Directed to: Office of the Secretary
Attention: Chief, Media Bureau

STREAMLINED FINANCIAL HARDSHIP WAIVER CERTIFICATION

1. By this pleading and the attached certificate, WBIN, Inc. ("Licensee"), licensee of Station WBIN-TV, Facility ID 14682, Derry, NH, hereby certifies that WBIN-TV requires a one-year delay to achieve compliance with the requirements of the Commercial Advertisement Loudness Mitigation Act (the "CALM Act") and requests a waiver of the December 13, 2012 deadline for compliance.

2. Pursuant to the streamlined waiver process set forth in the Commission's December 13, 2011 *Report and Order* in this proceeding, Licensee requests waiver for WBIN-TV as a "small broadcast station."¹ Under the procedures adopted in the *Order*, station seeking a waiver on this basis must certify to the Commission that it qualifies as a "small broadcast station" and that it requires a delay of one year to obtain specified equipment to avoid financial hardship.²

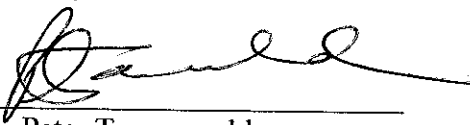
¹ *Order* at 17253-54.

² *Id.*

3. As set forth in the attached Certification of Mark M. Graham, Chief Financial Officer, Licensee certifies that WBIN-TV satisfies the definition of "small broadcast station" by virtue of having less than \$14 million in gross annual receipts. Mr. Graham further certifies that, to avoid financial hardship, the Licensee requires a one-year delay to obtain certain the equipment necessary for WBIN-TV to comply with the Commission's CALM Act requirements.

4. Accordingly, WBIN, Inc. respectfully requests a one-year waiver for WBIN-TV to comply with the CALM Act.

Respectfully submitted:

By: 
Peter Tannenwald
Davina Sashkin

Counsel for WBIN, Inc.

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October 15, 2012

CERTIFICATION OF MARK M. GRAHAM

Mark M. Graham hereby certifies as follows:

1. I am Chief Financial Officer for WBIN, Inc.
2. WBIN, Inc. is the licensee of Station WBIN-TV, Derry, NH (Facility ID 14682).
3. During the portion of calendar year 2011, during which WBIN, Inc. became the licensee of WBIN-TV, the station had less than \$14 million in annual gross receipts, based on annualization of the gross receipts received during the partial year. It is anticipated that WBIN-TV will also have less than \$14 million in annual gross receipts for 2012.
4. To achieve compliance with the Commission's CALM Act requirements, I estimate, based on costs I have seen discussed in the industry, an expense in the range of \$20-25,000, for encoding and monitoring equipment and software to enable WBIN-TV to be able both to ensure that the audio level of commercials is not excessive and to check compliance when as it may be required.
5. To avoid a financial burden that we cannot afford to meet at this time, WBIN, Inc. requests a one-year waiver of the Commission's CALM Act requirements for WBIN-TV.

Mark M. Graham 10/15/12
Mark M. Graham

October 15, 2012